

**IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION**

In re:		Chapter 7
	§	
	§	
Q'Max America, Inc., et al¹	§	Case No. 20-60030-CML
	§	
Debtors.	§	Jointly Administered
	§	

**ORDER GRANTING TRUSTEE'S MOTION PURSUANT TO BANKRUPTCY RULE
9019 FOR ENTRY OF AN ORDER APPROVING COMPROMISE AND SETTLEMENT
WITH NABARRETTE, LLC, d/b/a SILVERBACK TRANSPORT AND ALICE
NABARRETTE CASTILLO, AND McDOWELL HETHERINGTON'S APPLICATION
FOR PAYMENT OF CONTINGENCY FEE**

(Relates to Doc. No. _____)

CAME FOR CONSIDERATION on the *Motion Pursuant to Bankruptcy Rule 9019 for Entry of an Order Approving Compromise and Settlement with Nabarrette, LLC, d/b/a Silverback Transport and Alice Nabarrette Castillo, and McDowell Hetherington's Application for Payment of Contingency Fee* filed by Trustee.² After considering the Motion, all responses thereto, the arguments of counsel and the evidence presented, if any, the Court is of the opinion and finds that: (i) notice of the Motion was in all respects adequate and proper; (ii) the Motion has merit, meets the standard set forth in *Protective Committee's for Independent Stockholders of TMT Trailer Ferry, Inc. v. Anderson*,³ (iii) the proposed compromise between Trustee, Silverback, and Castillo, as recited in the Motion and as set forth herein, should in all things be approved accordingly, it is hereby:

¹ The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification numbers are: Q'Max America Inc. (2319) and Anchor Drilling Fluids USA, LLC (5395).

² Defined terms utilized herein shall have the same meaning ascribed to them in the Motion.

³ 390 U.S. 414 (1967).

ORDERED the Motion is Granted in its entirety; it is further

ORDERED the Settlement Agreement attached as Exhibit A to the Motion is Approved, and the terms thereof shall be binding upon the Trustee, Silverback, and Castillo; it is further

ORDERED that Silverback will pay the Trustee \$30,000.00, as provided under the Settlement Agreement.

ORDERED that McDowell Hetherington is awarded compensation in the amount of \$10,500.00 and reimbursement of approved expenses of \$359.53 in connection with this settlement; and it is further

ORDERED that the Trustee is authorized to pay the compensation and fees awarded in this Order as a chapter 7 administrative expense only upon Trustee's receipt of the settlement payment due under the Settlement Agreement;

ORDERED that that upon entry of this Order on the docket, the Clerk shall simultaneously docket this Order in Adversary No. 22-06017;

ORDERED that Adversary No. 22-06017 is dismissed with prejudice; and it is further

ORDERED the Court shall retain jurisdiction as to the enforcement of this Order.

SIGNED this _____ day of _____, 2023.

Christopher M. Lopez,
United States Bankruptcy Judge